

IN THE CLAIMS

Since it appears that the Examiner is not aware of which claims are *actually* still pending in the above-identified application, Applicants reproduce hereinbelow all of the *pending* claims for the Examiner's reference.

Please amend the claims as shown in the marked-up copy to read as follows:

- 1. (Previously Presented) An isolated polynucleotide which encodes a protein comprising the amino acid sequence of SEQ ID NO: 2, wherein said protein has the activity of the RodA cell division protein.
2. (Canceled)
3. (Previously Presented) A vector comprising the isolated polynucleotide of Claim 1.
4. (Previously Presented) A host cell comprising the isolated polynucleotide of Claim 1.
5. (Previously Presented) The host cell of Claim 4, which is a *coryneform* bacterium.
6. (Previously Presented) The host cell of Claim 4, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.
- 7-9 (Canceled)
10. (Previously Presented) A method for making a RodA protein, comprising culturing the host cell of Claim 4 for a time and under conditions suitable for expression of the RodA protein; and collecting the RodA protein.
11. (Previously Presented) An isolated polynucleotide, which comprises SEQ ID NO:1 and encodes a protein which has the activity of the RodA cell division protein.

12. (Previously Presented) An isolated polynucleotide, which is complimentary to the polynucleotide of Claim 11.

13-15. (Cancelled)

16. (Previously Presented) An isolated polynucleotide, which comprises at least 23 consecutive nucleotides of the polynucleotide of Claim 11.

17. (Previously Presented) An isolated polynucleotide, which hybridizes under stringent conditions to the polynucleotide of Claim 11 or the complement thereof; wherein said stringent conditions comprise washing in 5X SSC at a temperature from 50 to 68°C.

18. (Cancelled)

19. (Previously Presented) A vector comprising the isolated polynucleotide of Claim 11.

20. (Previously Presented) A host cell comprising the isolated polynucleotide of Claim 11.

21. (Previously Presented) The host cell of Claim 20, which is a *coryneform* bacterium.

22. (Previously Presented) The host cell of Claim 20, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

23-25 (Cancelled)

26. (Previously Presented) A method for making RodA protein, comprising

- a) culturing the host cell of Claim 20 for a time and under conditions suitable for expression of the RodA protein; and
- b) collecting the RodA protein.

27-37 (Canceled)

38. (Previously Presented) A process for producing an L-amino acid, comprising culturing the host cell of Claim 4 in a medium suitable for producing the L-amino acid.

39. (Previously Presented) The process of Claim 38, wherein said host cell is a *coryneform* bacterium or *Brevibacterium*.

40. (Previously Presented) The process of Claim 39, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*, *Corynebacterium thermoaminogenes*, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

41. (Previously Presented) The process of Claim 38, wherein the L-amino acid is L-lysine.

42. (Previously Presented) The process of Claim 38, further comprising isolating the L-amino acid.

43. (Previously Presented) A process for producing an L-amino acid, comprising

a) culturing the host cell of Claim 20 in a medium suitable for producing the L-amino acid and for a time and under conditions suitable for producing the L-amino acid; and

b) collecting the L-amino acid.

44. (Previously Presented) The process of Claim 43, wherein said host cell is a *coryneform* bacterium or *Brevibacterium*.

45. (Previously Presented) The process of Claim 44, wherein said host cell is selected from the group consisting of *Corynebacterium glutamicum*, *Corynebacterium acetoglutamicum*, *Corynebacterium acetoacidophilum*, *Corynebacterium melassecola*,

Corynebacterium thermoaminogenes, *Brevibacterium flavum*, *Brevibacterium lactofermentum*, and *Brevibacterium divaricatum*.

46. (Previously Presented) The process of Claim 43, wherein the L-amino acid is L-lysine.

47. (Previously Presented) The process of Claim 43, further comprising isolating the L-amino acid.

48. (Previously Presented) An isolated polynucleotide, comprising at least 23 consecutive nucleotides of SEQ ID NO: 1, having the function of a primer in a polymerase chain reaction to prepare or amplify a polynucleotide encoding a protein/polypeptide having the activity of the RodA cell division protein.

49. (Previously Presented) An isolated polynucleotide comprising at least 23 consecutive nucleotides of SEQ ID NO: 1 or the complement thereof, having the function of a probe in a hybridization reaction to isolate, detect, or determine a polynucleotide encoding a protein/polypeptide having the activity of the RodA cell division protein.